

S. 2819

Section 4: New Section 513

"Limitations on Availability of Funds for Military Operations"

The Differences

The Senate version would prohibit the provision of funds for the purpose of financing any military operations by foreign forces in Laos, North Vietnam, or Thailand unless Congress has specifically authorized or specifically authorizes the making of funds available for such purpose and designates the area where military operations financed by such funds may be undertaken.

The House version contains no comparable provision.

Executive Branch Position

The Executive Branch strongly opposes the inclusion of Section 513 in a foreign assistance act. This section is inconsistent with Section 501(a)(1) of the pending H.R. 8687, the military procurement authorization bill, which was adopted by both Houses several days ago, and the understandings covering that section. Section 513, as worded, would affect on-going arrangements for U.S. assistance to Laos which also involve regional cooperation and self-help and would have grave impact on our goals in Laos. These goals are and have been to aid in the orderly withdrawal of U.S. forces from South Vietnam and to preserve the precarious but important balance which exists in Laos.

Further, the provision of Subsection (b) of Section 513 would impose impractical and undesirable requirements on executive actions without due regard for the President's responsibility in this field.

If Section 513 is not struck, in toto, the Administration holds for the reasons listed above that the word "Laos" in line 14 on page 5 of S. 2819 must be struck and that Subsection (b) must be eliminated.

S. 2819

Section 4(4): New Section 512
"Military Assistance Authorizations for Thailand"

The Difference

The Senate version would require the transfer to military assistance programs for Thailand from MASF to MAP in FY 1973.

The House version has no comparable provision.

The Executive Branch Position

The Executive Branch does not oppose the transfer of assistance programs for Thailand from MASF to MAP. However, in order to assure an efficient and orderly transition, a marked change in procedures, techniques and management will be involved. With the remaining seven months in FY 1972, a transfer for FY 1973 could precipitate actions that would be uneconomical. A transfer date of 30 June 1973 would permit an orderly and efficient transition without undue impact.

The Executive Branch understands, by the word "furnished" in the proposed Section 512, that assistance programmed for Thailand under MASF prior to the date specified in that section and which is in the "pipeline" at that time may be provided regardless of when the Defense articles are actually delivered or the Defense services actually rendered.

MEMORANDUM FOR: OLC [REDACTED]

*This muddies the
Faz waters considerably.*

from [REDACTED]

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FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

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Remarks: Herewith are excerpts from White House position on Senate version of military aid bill. These excerpts pertain to Sections 512 and 513. They represent two of twenty-four problems that the White House had with the bill but White House exception with respect to 513 is reportedly one of the Administration's top three priorities with respect to getting the Senate/House conferees to change the Senate version of the bill. These White House positions were forwarded to HFAC on 19 November.			
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